REMARKS

Applicant requests reconsideration and allowance of the present application in view of the foregoing amendments and the following remarks.

Claims 1, 5-9, 11, 12, 16, 18-20, 23, and 24 are pending in the present application. Claims 1, 7, 11, 12, 16, 20, 23, and 24 are the independent claims.

Claims 2, 13, and 17 have been cancelled without prejudice to or disclaimer of the subject matter recited therein. Claims 1, 5-7, 11, 12, 16, 20, 23, and 24 have been amended. No new matter is believed to have been added.

Claims 1, 5-9, 11, 12, 16, 18-20, 23, and 24 stand rejected under 35 U.S.C. §103(a) as being unpatentable over WO 98/21713 (Leville et al.) in view of U.S. Patent No. 6,853,980 (Ying), in view of U.S. Patent Publication No. 2002/0032610 (Gold), and further in view of U.S. Patent No. 6,963,851 (Szabo et al.). All rejections are respectfully traversed.

Independent claim 1 recites, inter alia, a purchase record storage section storing the number of elements purchased by a purchaser in the past, an addition section reading the number of elements purchased in the past from the purchase record storage section when the number of elements is detected by the detecting section, and adding the read number to the detected number, a reading section reading at least one unit corresponding to the elements to be purchased on the basis of the number of elements detected and a result of addition by the addition section.

Independent claims 11 and 12 recite similar features in system and computer-readable forms, respectively.

Independent claim 7 recites, inter alia, a receiving section receiving a price of the one or more elements to be purchased, the price being calculated by using at least one unit which is a price per element corresponding to a range of elements to which a font set is to be applied and is determined on the basis of (i) the number of elements to be purchased and a range to which the unit is applied and (ii) a result of addition between the number of font sets to be purchased and the number of elements purchased in the past by the purchaser and receiving a supply file including data corresponding to information of the elements to be purchased and including data purchased by the purchaser in the past.

Independent claim 16 recites, inter alia, receiving a price of the one or more elements to be purchased, the price being calculated by using at least one unit which is a price per element corresponding to a range of elements to which a font set is to be applied and is determined on

the basis of (i) the number of elements to be purchased and a range to which the unit is applied and (ii)a result of addition between the number of elements to be purchased and the number of elements purchased in the past by the purchaser and a range to which the unit is applied and receiving a supply file including data corresponding to information of the elements to be purchased by using a set of stored data and including data purchased by the purchaser in the past.

Independent claim 20 recites, inter alia, a calculating section calculating a purchase price of goods to be purchased which is received from the purchaser on the basis of the purchase record of the purchaser stored in the storage section and that the calculating section calculates the purchase price of the goods to be purchased by obtaining the application range to which the goods to be purchased belongs and the quantity of the goods to be purchased on the basis of a sum of a quantity of goods in the purchase record and the quantity of goods to be purchased.

Independent claim 23 recites, inter alia, a receiving section receiving a purchase price of the goods to be purchased, which is determined on the basis of a result of addition of the number of font sets to be purchased and the number of elements purchased by the purchaser in the past and receiving a supply file including data corresponding to information of the elements to be purchased and including the purchase record.

Independent claim 24 recites, inter alia, a purchase record storage section storing a goods purchase record of the purchaser, the goods record including the number of elements purchased by the purchaser in the past and a calculating section calculating a purchase price of the goods to be purchased for each type of the goods, which is received from the client on the basis of the purchase record of the purchaser stored in the purchase record storage section and the number of elements being purchased.

However, Applicant respectfully submits that the asserted combinations of the cited art do not disclose at least the aforementioned features.

The Office Action contends that the primary citation to Leville et al. discloses computing, via computer 10, a "price to be offered" based on "the elements to be purchased" and "the elements purchased in the past." (Office Action, page 2). This contention is respectfully traversed.

The Leville et al. host computer is used to track customer buying behavior through point of sale information. (Leviie et al., page 7, lines 13-25; Abstract). To this end, the host computer is connected to an in-store computer 15 which is connected to in-store kiosks 17 and point of same interfaces 20. These kiosks allow shoppers to log-in and to retrieve promotional

information. (Leville et al., page 9, lines 1-10). The point of sale interfaces send transactional data to the host computer to keep shopper profiles updated. (Leville et al., page 8, lines 24-30). Absent from Leville et al. is any discussion of the host computer computing the price of an item to be purchased. Instead, the host computer determines which promotions should be communicated to which shoppers. Thus, the absence of an adding section or the calculation of a price based on numbers of presently and previously purchased elements as variously recited in the presently pending independent claims is not surprising.

Ying et al. relates to selling fonts via the Internet (Ying et al., Col. 10, lines 14-22; Fig. 1), Gold relates to quoting a price for goods based on quantity and time (Gold, paragraph [0029]), and Szabo et al. relates to building shopping lists based on the expiration dates of previously purchased perishable items (Szabo et al., Col. 6, lines 11-29; Abstract). Applicants respectfully submit that none of Ying et al., Gold , and Szabo et al. adds anything to the teachings or suggestions of Leville et al. that remedies the aforementioned deficiency.

Accordingly, favorable reconsideration and withdrawal of the rejection of independent claims 1, 7, 11, 12, 16, 20, 23, and 24 under 35 U.S.C. § 103 are respectfully requested.

In view of the foregoing, Applicant respectfully submits that the independent claims patentably define the present invention over the citations of record. Further, the dependent claims should also be allowable for the same reasons as their respective base claims and further due to the additional features that they recite. Separate and individual consideration of the dependent claims is respectfully requested.

Applicant submits that this Amendment After Final Rejection clearly places the subject application in condition for allowance. This Amendment was not earlier presented because Applicants believed that the prior Amendment placed the subject application in condition for allowance. Accordingly, entry of the instant Amendment as an earnest attempt to advance prosecution and reduce the number of issues is requested under 37 C.F.R. § 1.116.

Applicant believes that the present Amendment is responsive to each of the points raised by the Examiner in the Official Action. However, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to such matters.

There being no further outstanding objections or rejections, it is submitted that the present application is in condition for allowance. An early action to that effect is courteously solicited.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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